



\$172

|   |                                     |                              |                                |  |                            |  |
|---|-------------------------------------|------------------------------|--------------------------------|--|----------------------------|--|
| <b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>  |                                     |                              |                                |  | <b>Docket No.</b><br>17127 |  |
| Applicant(s): Thomas Dietz  |                                     |                              |                                |  |                            |  |
| Application No.<br>10/724,379   | Filing Date<br>November 28, 2003    | Examiner<br>Timothy J. Kugel | Customer No.<br>23389          | Group Art Unit<br>1712   | Confirmation No.<br>9652   |  |
| Invention: <b>WATER-BASED EMULSIFIER WAX GELS INCLUDING FREE SPHINGOID BASES AND OIL-IN-WATER EMULSIONS INCLUDING THE SAME (As Amended)</b>   |                                     |                              |                                |  |                            |  |
| <b>COMMISSIONER FOR PATENTS:</b>  |                                     |                              |                                |  |                            |  |
| Transmitted herewith is an amendment in the above-identified application.<br>The fee has been calculated and is transmitted as shown below.   |                                     |                              |                                |  |                            |  |
| <b>CLAIMS AS AMENDED</b>  |                                     |                              |                                |  |                            |  |
|   | CLAIMS REMAINING<br>AFTER AMENDMENT | HIGHEST #<br>PREV. PAID FOR  | NUMBER EXTRA<br>CLAIMS PRESENT | RATE   | ADDITIONAL<br>FEE          |  |
| TOTAL CLAIMS  | 19 -                                | 20 =                         | 0                              | x \$50.00  | \$0.00                     |  |
| INDEP. CLAIMS   | 4 -                                 | 3 =                          | 1                              | x \$200.00   | \$200.00                   |  |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/>  |                                     |                              |                                |  | \$0.00                     |  |
| <b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>  |                                     |                              |                                |  | <b>\$200.00</b>            |  |
| <div><input type="checkbox"/> No additional fee is required for amendment.</div> <div><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____</div> <div><input checked="" type="checkbox"/> A check in the amount of \$200.00 to cover the filing fee is enclosed.</div> <div><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 19-1013/SSMP</div> <div><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</div> <div><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</div> <div><input type="checkbox"/> Payment by credit card. Form PTO-2038.</div> <div><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></div> |                                     |                              |                                |  |                            |  |
| <div style="text-align:right"><br/>Signature</div> <div style="text-align:right">Dated: March 21, 2006</div>   |                                     |                              |                                |  |                            |  |
| <b>Leslie S. Szivos, Ph.D.</b><br>Registration No. 39,394<br><b>SCULLY, SCOTT, MURPHY &amp; PRESSER, P.C.</b><br>400 Garden City Plaza - Suite 300<br>Garden City, New York 11530   |                                     |                              |                                | <div>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on<br/>March 21, 2006<br/>(Date)<br/><br/>Signature of Person Mailing Correspondence<br/><b>Leslie S. Szivos, Ph.D.</b><br/>Typed or Printed Name of Person Mailing Correspondence</div> |                            |  |
| cc:   |                                     |                              |                                |  |                            |  |



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Thomas Dietz

**Examiner:** Timothy J. Kugel

**Serial No:** 10/724,379

**Art Unit:** 1712

**Filed:** November 28, 2003

**Docket:** 17127

**For:** WATER-BASED EMULSIFIER WAX  
GELS INCLUDING FREE SPHINGOID  
BASES AND OIL-IN-WATER EMULSIONS  
INCLUDING THE SAME (As Amended)

**Dated:** March 21, 2006

**Confirmation No. 9652**

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE UNDER 37 C.F.R. § 1.111**

Sir:

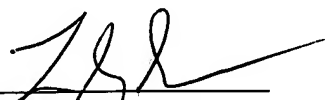
In response to the Office Action dated December 22, 2005, applicants submit the following amendments and remarks for entry of record in the above-identified patent application.

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 21, 2006.

Dated: March 21, 2006

  
\_\_\_\_\_  
Leslie S. Szivos, Ph.D.